

United States Department of Justice
Office of the United States Trustee
300 Plaza Tower
110 N. College
Tyler, Texas 75702
(903) 590-1450

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

IN RE

George D Wigington
2451 Elm Grove Road
Wylie, TX 75098
SSN / ITIN: xxx-xx-4787

Wylie Investment Group
2451 Elm Grove Road
Wylie, TX 75098
Tax ID / EIN: 26-2879956

DEBTORS

§
§ Case No. 11-41092
§
§
§
§
§
§ Case No. 13-40360
§
§ (Jointly Administered
§ Under Case 11-41092)
§
§ Chapter 11
§
§

**LIMITED OBJECTION OF THE U.S. TRUSTEE
TO ISSUANCE OF FINAL DECREE AND REQUEST FOR HEARING**

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE PRESIDING:

COMES NOW the United States Trustee and files this his Limited Objection to Issuance of a Final Decree in this case and in support thereof would show the court as follows:

1). A plan of reorganization was confirmed in this case by order of June 4, 2013 (*docket entry #338*). On March 6, 2014 the Debtor filed an Application for Final Decree (*docket entry #408*).

2). On January 27, 1996, 28 U.S.C. §1930(a)(6) was amended to require the payment of quarterly fees to the United States Trustee in every Chapter 11 case until the case is dismissed or converted to another chapter, or the case is closed. Section 1930(a)(6), as amended, now provides

that quarterly fees shall be paid "in each case under chapter 11 of title 11 for each quarter . . . until the case is converted or dismissed, whichever occurs first."H.R. Conf. Rep. No. 378, 104th Cong., 1st Sess. 15-25 (1995), printed in 141 Cong. Rec. H13874-01, H13878 (1995); 28 U.S.C. §1930(a)(6). Accordingly, Congress has mandated that quarterly fees be paid in all open chapter 11 cases, including those with previously confirmed plans.

3). The debtor (George D Wigington 11-41092) owes a remaining minimum balance of \$1,300.00 in quarterly fees to the Office of the U.S. Trustee for the 4th quarter 2013 (650.00) and 1st quarter 2014 (\$650.00). The debtor (Wylie Investment Group 13-40360) owes a remaining minimum balance of \$650.25 in quarterly fees to the Office of the U.S. Trustee for the 4th quarter 2013 (325.25) and 1st quarter 2014 (\$325.00). A combined total of \$1,950.25 is owed in quarterly fees to the U.S. Trustee. Quarterly fees are owed and should be paid through the case closing.

WHEREFORE, PREMISES CONSIDERED, the United States Trustee requests this court to condition the issuance of a final decree in this case on the payment of all quarterly fees owed to the U.S. Trustee. In the alternative, the U.S. Trustee requests this court to issue an order requiring the reorganized Debtors to pay all quarterly fees due and owing through the issuance of the final decree. This payment should be made within 5 days of the date of entry of the final decree.

Dated: March 25, 2014

Respectfully submitted,

WILLIAM T. NEARY
UNITED STATES TRUSTEE

By: /s/ Marcus F. Salitore
Trial Attorney
Texas Bar 24029822
300 Plaza Tower
110 N. College
Tyler, Texas 75702
(903) 590-1450 Ext. 216

Certificate of Service

The undersigned hereby certifies that a copy of the foregoing document was served on the following listed persons and the entire mailing matrix through the court's electronic notification system as permitted by Appendix 5005 II. B. 2 to the Local Rules of the U.S. Bankruptcy Court for the Eastern District of Texas, or by first class United States Mail, postage prepaid, this the 25th day of March, 2014.

/s/ Marcus F. Salitore

Trial Attorney

Debtor

George D Wigington
2451 Elm Grove Road
Wylie, TX 75098

Wylie Investment Group
2451 Elm Grove Road
Wylie, TX 75098

Debtor's Attorney

Gregory W. Mitchell
8140 Walnut Hill Lane
Suite 301
Dallas, TX 75231

Others

Kadra D. Alexander
Barrett Daffin Frappier Turner
& Engel
15000 Surveyor Blvd.
Addison, TX 75001

Leah Frazier
Barrett Daffin Frappier Turner
& Engel
15000 Surveyor Blvd
Addison, TX 75001

Lee Gordon
McCreary Veselka Bragg &
Allen, PC
PO Box 1269
Round Rock, TX 78665

Laurie Spindler Huffman
Linebarger, Goggan, Blair &
Sampson
2777 N. Stemmons Frwy, 1000
Dallas, TX 75207
Paul K. Kim
Barrett Daffin Frappier Turner

& Engel
15000 Surveyor Blvd. Suite 100
Addison, TX 75001

David McCall
Gay, McCall, Isaacks, et al
777 East 15th Street
Plano, TX 75074

Michael S. Mitchell
DeMarco-Mitchell, PLLC
1255 West 15th Street, 805
Plano, TX 75075

Cody Moorse
701 Highlander, Suite 270
Arlington, TX 76015

William Riley Nix
Nix & Winegeart, P.C.
717 North Crockett St.
Sherman, TX 75090

James G. Rea
McGuire, Craddock & Strother,
P.C.
2501 N. Harwood, Suite 1800
Dallas, TX 75201

Michael Reed
McCreary, Veselka, Bragg, &
Allen, PC
P. O. Box 1269
Round Rock, TX 78680

Sidney H. Scheinberg
Godwin Lewis P.C.
5700 Granite Parkway, Suite
450
Plano, TX 75024

Mark Stromberg
Stromberg Stock
Northpark Center
8750 N Central Expwy, Ste 625
Dallas, TX 75231

Steve Turner
Barrett Daffin Frappier Turner
& Engel
610 West 5th Street, Suite 602
Austin, TX 78701

Michael J. Wiss
Wiss & Freemyer, LLP
11882 Greenville Ave., Suite
111
Box 11
Dallas, TX 75243-3567

David L. Woods
McGuire, Craddock & Strother,
P.C.
2501 N. Harwood, Suite 1800
Dallas, TX 75201

Ruth Harris Yeager
Office of the U.S. Attorney
110 N. College Ave.
Suite 700
Tyler, TX 75702